

MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large
Dr. Alan B. Coleman, Mayor Pro Tem
Audwin Samuel, Ward III
Tyrone E. Cooper, City Attorney

BECKY AMES, MAYOR
CITY COUNCIL MEETING
December 16, 2014
Kyle Hayes, City Manager

Gethrel Wright, At-Large
Michael D. Getz, Ward II
Ward IV
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **December 16, 2014**, at the City Hall Council Chambers, 801 Main Street, Beaumont, Texas, at 1:30 p.m. to consider the following:

OPENING

- * Invocation Pledge of Allegiance Roll Call
- * Presentations and Recognition
- * Public Comment: Persons may speak on scheduled agenda items 1-3 and 5/Consent Agenda
- * Consent Agenda

Mayor Ames called the council meeting to order at 1:30 p.m.

Pastor "Big" Jim Salles of West End Baptist Church gave the invocation. Mayor Ames led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Mayor Pro Tem Coleman, Councilmembers Getz, Wright, Pate and Samuel. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

Proclamations, Presentations, Recognitions

Dean Conwell, Convention and Visitor's Bureau Executive Director introduced the Texas Association of Pupil Transportation

Public Comment: Persons may speak on scheduled agenda items 1-3 and 5/Consent Agenda.

Brenda Spivey

6010 Chandler

Beaumont TX

Spoke in regards to item #5 on the Agenda; Consider the appointment of a resident of Ward IV to the position of Ward IV Councilmember, asked that Council consider former Councilmember Bobbie Patterson to fulfill the unexpired term of the Ward IV seat, Ms. Patterson brings the experience needed as well as all that she has done for Ward IV as the past City Councilmember

CONSENT AGENDA

- * Approval of minutes - **December 9, 2014**
- * Confirmation of committee appointments - **None**

- A) Authorize the City Manager to execute all documents necessary, specifically including a License Agreement, for the Beaumont Police Department to continue to maintain a Police Substation at Parkdale Mall – **Resolution 14 - 262**

Councilmember Wright moved to approve the Consent Agenda. Councilmember Pate seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

GENERAL BUSINESS

1. Consider a resolution awarding a six month contract to APAC-Texas, Inc. for the purchase of asphaltic concrete for use in the Streets and Drainage Division.

Bids were requested from four (4) local vendors to provide a six (6) month contract for asphaltic concrete to be used by the Streets and Drainage Division. Cold laid asphaltic concrete is used for repairing potholes and small sections of a street, while hot laid asphaltic concrete is used for repairs and repaving of larger street sections. It is estimated that approximately 50,000 tons of hot laid asphaltic concrete and 2,000 tons of cold laid asphaltic concrete will be used during the term of the contract.

Specifications requested unit pricing for both plant pickup by City personnel and job site delivery by the vendor. Bid responses were received from two (2) vendors. APAC-Texas submitted the low total bid. The bidder met all product requirements specified and has previously held the contract satisfactorily.

The new pricing represents an approximate \$7.23 per ton reduction in Hot Mix/Hot Laid material and a \$1.50 per ton reduction in Hot Mix/Cold Laid material.

Funds are available in the General Fund and Capital Program.

Approval of resolution.

Councilmember Pate moved to **APPROVE A RESOLUTION THAT THE BID SUBMITTED BY APAC-TEXAS, INC., OF BEAUMONT, TEXAS, FOR A SIX (6) MONTH CONTRACT FOR THE PURCHASE OF ASPHALTIC CONCRETE FOR THE PUBLIC WORKS DEPARTMENT, STREETS AND DRAINAGE DIVISION IN THE ESTIMATED AMOUNT OF \$3,321,000.** Mayor Pro Tem Coleman seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Resolution 14 - 263

2. Consider a resolution approving the purchase of twenty vehicles from Caldwell County Chevrolet of Caldwell for use in the Police Department, Fire Department and Emergency Medical Services Division.

Eighteen (18) of the vehicles requested will replace units that are used in daily operations by the Patrol Division. The remaining two (2) units will replace supervisory vehicles utilized in the Fire Department and EMS Division. These vehicles are on a replacement cycle in order to keep serviceable units available at all times and may be disposed of after replacement according to the City's surplus property disposal policies or relocated to other divisions.

Pricing was obtained through the Texas Association of School Boards (BuyBoard), a cooperative purchasing association providing cities and political subdivisions with the means to purchase specialized equipment at volume pricing. BuyBoard complies with State of Texas procurement statutes. The total purchase price includes the BuyBoard fee of \$400 which is paid to the vendor.

Standard warranties of five (5) years or 100,000 miles are provided for each vehicle. Warranty service is available from the local authorized dealer. Delivery is expected within sixty (60) to ninety (90) days.

Funds are available in the Capital Reserve Fund.

Approval of resolution.

Mayor Pro Tem Coleman moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL HEREBY APPROVES THE PURCHASE OF TWENTY (20) VEHICLES FOR USE BY THE POLICE DEPARTMENT, FIRE DEPARTMENT AND EMERGENCY MEDICAL SERVICES DIVISION FROM CALDWELL COUNTY CHEVEROLET, CALDWELL, TEXAS, IN THE AMOUNT OF \$617,500 THROUGH THE TEXAS ASSOCIATION OF SCHOOL BOARDS (BUYBOARD) COOPERATIVE PURCHASING PROGRAM.** Councilmember Samuel seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Resolution 14 - 264

3. Consider a resolution approving the purchase of two mini-excavators and one track loader from Waukesha-Pearce Industries, Inc. of Port Arthur for use in the Water Utilities Department.

Gustavo Vega

2525 Primrose St.

Beaumont TX

Item #54 2525 Primrose St.

Public Hearing Closed: 1:50 p.m.

4. Consider an ordinance and a resolution declaring certain structures to be dangerous structures and ordering their removal within 10 days or authorizing the property owner to enroll the dangerous structure in a work program.

These structures have been inspected by the Building Codes Division and found to be unsafe structures as defined by the City of Beaumont's Code of Ordinances, Chapter 24, Article 24.04 Unsafe Substandard Structures, Division 1, Sec. 14.04.001 of the 2009 International Property Maintenance Code. Additionally, these structures have deteriorated to a condition that they are no longer considered suitable for repair.

Funding is available through a grant with the Southeast Texas Regional Planning Commission and the Texas General Land Office (GLO).

Approval of the ordinance and resolution.

Councilmember Samuel moved to **ADOPT AN ORDINANCE ENTITLED AN ORDINANCE FINDING CERTAIN STRUCTURES TO BE PUBLIC NUISANCES AND ORDERING THEIR DEMOLITION AS WELL AS TO ALLOW PROPERTY OWNERS OF ITEMS #28, 33 AND 54, TO ENTER INTO A 150 DAY WORK PROGRAM ON THE DANGEROUS STRUCTURES LIST; PROVIDING FOR SEVERABILITY AND PROVIDING FOR A PENALTY.** Councilmember Pate seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Ordinance 14 – 069

Councilmember Samuel moved to **APPROVE A RESOLUTION THAT THE CITY FINDS THE AFOREMENTIONED SIXTY-TWO (62) STRUCTURES TO BE UNSAFE STRUCTURES AND DELCARES THEM TO BE PUBLIC NUISANCES AND ORDERS THAT THE STRUCTURES BE RAZED AND TO ALLOW PROPERTY OWNERS OF ITEMS #28, 33 AND 54, TO ENTER INTO A 150 DAY WORK PROGRAM ON THE DANGEROUS STRUCTURES LIST.** Councilmember Pate seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE AND SAMUEL

NAYS: NONE

MOTION PASSED

Resolution 14 – 266

COUNCILMEMBER COMMENTS

COUNCILMEMBER SAMUEL -

IT'S ANOTHER GREAT DAY IN BEAUMONT, WISHED EVERYONE A MERRY CHRISTMAS IN CASE THERE IS NO MEETING ON NEXT TUESDAY, WISHED FORMER COUNCILMEMBER SMITH MUCH SUCCESS AND STATED THAT HE WILL WEAR PURPLE IN HIS HONOR

COUNCILMEMBER PATE -

REMINDED EVERYONE THAT KIDS WILL BE ENDING SCHOOL ON FRIDAY, BE ATTENTIVE TO THEM AND DRIVE EVEN MORE CAREFULLY SINCE THEY WILL BE OUT AND ABOUT, ALSO WISHED EVERYONE A MERRY CHRISTMAS IN CASE THERE IS NOT A MEETING NEXT WEEK

MAYOR AMES -

WISHED FORMER COUNCILMEMBER JAMIE SMITH MUCH SUCCESS IN HIS ENDEAVORS IN HIS NEW POSITION AS THE DISTRICT CLERK FOR JEFFERSON COUNTY, WE WILL MISS HIM AND THANKED HIM FOR HIS SERVICE ON COUNCIL, COMMENTED ON HER ATTENDANCE AT THE MAIN STREET ANNUAL MEETING, THERE WAS A LOT OF TALK IN REGARDS TO THE RENOVATION OF HOTEL BEAUMONT WHICH WAS GREAT NEWS

COUNCILMEMBER WRIGHT -

WISHED FORMER COUNCILMEMBER JAMIE SMITH SUCCESS IN HIS NEW POSITION AS DISTRICT CLERK, STATED IT WAS A PLEASURE WORKING WITH HIM AND HASN'T GOTTEN OVER THE FACT THAT HE WON'T BE WITH THEM ANYMORE, GAVE CONDOLENCES TO THE FAMILY OF JOSEPH CASSIMERE

COUNCILMEMBER GETZ -

ANNOUNCED THE DOWLEN/WEST NEIGHBORHOOD ASSOCIATION HOLIDAY PARTY AT THE ROGERS PARK COMMUNITY CENTER BEGINNING AT 6:00 P.M., THE COMMUNITY IS INVITED TO ATTEND

MAYOR PRO TEM COLEMAN -

WISHED FORMER COUNCILMEMBER SMITH MUCH SUCCESS IN HIS NEW POSITION AS JEFFERSON COUNTY DISTRICT CLERK, WISHED EVERYONE A MERRY CHRISTMAS IF THERE IS NO COUNCIL MEETING ON NEXT WEEK, REMINDED EVERYONE THAT WE ARE CELEBRATING THE BIRTH OF JESUS CHRIST AND NOT ALL THE MYTH AND HYPE THAT GOES ON BUT HIS BIRTH

CITY ATTORNEY COOPER -

THANKED COUNCILMEMBER SMITH FOR HIS SERVICE ON COUNCIL, AND WILL MISS HIM ON HIS RIGHT HAND SIDE

CITY MANAGER HAYES -

**WISHED FORMER COUNCILMEMBER SMITH SUCCESS IN HIS
NEW POSITION AND THANKED HIM FOR HIS SEVEN YEARS OF
SERVICE, HE WILL BE MISSED**

Mayor Ames read the announcement regarding Executive Session being held at the conclusion of the General Business portion of the meeting.

Public Comments (Persons are limited to three minutes)

Kathleen Lamb Boudreaux

590 20th St.

Beaumont TX

Spoke to Council to protest the requirement to use trash bags or disposable containers for the weekly small yard trash pickup, there are two issues of controversy, equal access and ecology, stated that in two weeks her trash had not been picked up, she called 311 who then transferred her to Solid Waste Management and was informed to this new requirement, she subscribes to the City's email news and saw no notice of this nor was there any notice in the city statement, now she's being asked to buy trash bags for weekly yard waste, wanted to know if the City is going to recycle these bags or will they go to the landfill, stated that she's fit enough to roll her trash bin to the curb but not fit enough to bring bags out, her trash was picked up in about 30 minutes with the tag that explains the process of the new ordinance, is it too much to ask that the yard trash pickup program continue as it has been

Former Councilmember Jamie Smith's farewell speech

Former Councilmember Jamie Smith thanked Council for their support, thanked city staff for all that they have done to make his job easier, hoped that as he leaves office he has left it better than when he came in, also asked that Council revisit creating a Youth Council, thinks it is very important to get the young people involved with politics and the community, thanked his wife Melanie, his three sons, parents and father-in-law. Thanked Angie Thomas for a great job, without her his job would have been impossible, stated that Angie is the straw that stirs the Council, also wanted to reiterate that if there is a tax revenue increase that the employees would get a one-time bonus as previously requested, spoke in regards to Mr. William R. Sam as someone that Council would consider appointing to fill the unexpired term of Ward IV, he would be an outstanding replacement

Open session of meeting recessed at 2:10 p.m.

EXECUTIVE SESSION

- * Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

Ward IV City Councilmember

Open session of meeting reconvened at 2:28 p.m.

5. Consider the appointment of a resident of Ward IV to the position of Ward IV Councilmember.

Jamie Smith resigned from the position of Ward IV Councilmember effective December 9, 2014. According to Article III (The City Council); Section 7 of the City Charter, "A vacancy in a ward position, whether filled by the City Council or by election, shall be filled by a resident of the ward in which the vacancy occurred. Vacancies in the City Council where the same do not exceed two (2) at any one time shall be filled by a majority of the remaining members of the City Council and the person elected shall serve for the unexpired term only."

Mayor Pro Tem Coleman moved to **APPROVE A RESOLUTION THAT THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES HEREBY APPOINT WILLIAM R. SAM, SR. TO SERVE THE UNEXPIRED TERM ONLY OF WARD IV COUNCILMEMBER JAMIE SMITH.** Councilmember Wright seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM COLEMAN, COUNCILMEMBERS GETZ, WRIGHT, PATE AND SAMUEL

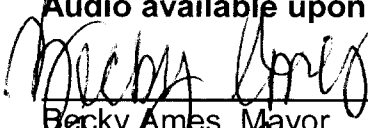
NAYS: NONE

MOTION PASSED

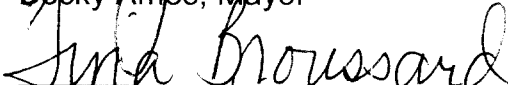
Resolution 14 - 267

There being no other business to come before Council the meeting adjourned at 2:31 p.m.

Audio available upon request in the City Clerk's Office.



Becky Ames, Mayor



Tina Broussard, City Clerk

